



United States
Department of
Agriculture

Forest
Service

Sawtooth National Forest
Minidoka Ranger District

3650 South Overland Ave.
Burley, ID. 83318-3242
208-678-0430
Fax: 208-677-4878

File Code: 2810

Date: December 12, 2003

5/003/055

CERTIFIED MAIL NO.7002 0460 0003 0526 8025
RETURN RECEIPT REQUESTED

Travelers Casualty and Surety Co. of America
P.O. Box 6890
Portland, OR 97228-6890

DEMAND LETTER FOR SURETY

On September 23, 2000 Interstate Rock Products, Inc. (Michael Cates) and Michael Pauletto were issued a Notice of Noncompliance by this office for conducting unauthorized mining activities on the Raft River Division of the Sawtooth National Forest. Under this Notice of Noncompliance, Interstate Rock Products, Inc. and Mr. Pauletto were notified that their operations would remain in noncompliance until a new Plan of Operations was approved. On July 19, 2002, another Notice of Noncompliance was issued to Interstate Rock Products, Inc. and Michael Pauletto for continued failure not to have an approved plan of operations and for failure to initiate reclamation of their disturbance. On October 20, 2003, a letter was sent to Interstate Rock Products, Inc., Mr. Pauletto, and his agents stating that if reclamation of the majority of the project was not completed by November 30, 2003, that the Forest Service would initiate action to take the reclamation bond and complete the reclamation utilizing Forest Service equipment and personnel. An inspection of the project on December 3, 2003 found that reclamation had not been completed. The Forest Service is now making demand that the Travelers Casualty and Surety Co. of America honor bond number _____ in the amount of \$20,245 in connection with the default of Interstate Rock Products, Inc. and Michael Pauletto (the principal on the bond is listed as I & P Investments, LLC, the mining claim owner).

Payment is due the Forest Service upon receipt of this letter and Bill For Collection, but no later than January 12, 2004. Make your payment by certified or cashier's check, bank draft, or postal money order payable to the Forest Service USDA. Mail your payment, along with the white copy of the enclosed Bill for Collection to:

Minidoka Ranger District
Sawtooth National Forest
Attention: Scott Nannenga, Minidoka District Ranger
3650 South Overland
Burley, ID, 83318

RECEIVED

DEC 15 2003

DIV. OF OIL, GAS & MINING



If this bill is not paid in full by the due date, you will be charged interest at the Department of Treasury rate in effect on the date of the bill's issue or at the prompt payment rate, whichever is higher, calculated from the date of the bill's issue. Additionally, you will be charged an administrative cost amount to cover processing and handling the overdue debt. Finally, if this bill is not paid in full by 90 days after the due date, in addition to the interest and administrative costs, you will be charged a penalty of 6 percent per year on any principle amount overdue 90 days or more, calculated from the bill's due date.

The United States intends to take whatever action is necessary to collect this debt. Should it become necessary to file suit against the Travelers Casualty and Surety Co. of America in Federal District Court, the Justice Department has indicated that it will seek an additional surcharge of 10% based on the Federal Debt Collection Procedures Act of 1991, 28 U.S.C. 3011.

Please contact me immediately if you have questions pertaining to this demand letter; my phone number is (208) 678-0430.

Sincerely,



SCOTT C. NANNENGA
Minidoka District Ranger

Enclosures:

1. Notice of Nonc. September 23, 2000
2. Notice of Nonc. July 19, 2002
3. Letter October 20, 2003
4. Bill for Collection

cc. Mr. Lynn Kunzler
Department of Oil, Gas and Mining
State of Utah
1594 West North Temple
Suite 1210
P.O. Box 145801
Salt Lake City, UT 84114-5801

Mr. Dennis Jorgenson
Heritage Stone
1111 North 2000 West
#58
Far West, UT 84404

Mr. Michael Pauletto
11204 NW 37th Court
Vancouver, WA 98685

Mr. Michael Cates
Interstate Rock Products
9921 NE 72nd Ave.
Vancouver, WA 98682

Travelers Casualty and Surety Co. of Amer.
(Certified Mail No. 7002 0460 0003 0526 8025)
700 N.E. Multnomah
Portland, OR 97232

Travelers Casualty and Surety Co. of Amer.
(Certified Mail No. 7002 0460 0003 0526 8025)
Hartford, CN 06183-9062

USDA FOREST SERVICE
BILL FOR COLLECTION

1. BILL DATE: 12/12/03

PAGE: 1

ENCLOSE A COPY OF THIS BILL WITH YOUR CHECK OR MONEY ORDER.
DO NOT SEND CASH. PLEASE INCLUDE BILL NO. AND PAYER CODE NO.
ON YOUR CHECK.

MAKE CHECK PAYABLE TO:
USDA FOREST SERVICE

MAIL PAYMENT TO:
USDA FOREST SERVICE
FILE 71652
P.O. BOX 60000
SAN FRANCISCO, CA 94160-1652

TO:

TRAVELER'S CASUALTY & SURETY
COMPANY OF AMERICA
700 NE MULTNOMAH, STE 600
PORTLAND OR 97232

PAYER INDICATE
AMOUNT ENCLOSED: \$

2. NET AMOUNT DUE: \$ 20,245.00

3. DUE DATE: 01/11/04

4. BILL NUMBER: ~~AB 04140140001~~

5. PAYER CODE: FS NO TIN

6. AGREEMENT NO:

CONTRACT NO:

7. DESCRIPTION: RECL SURETY BOND

8. REMARKS:

RE: PAYER CODE: FS NO TIN BILL NO: AB 04140140001

9. PRINCIPAL: \$ 20,245.00

10. INTEREST:

11. ADMINISTRATIVE COSTS:

12. PENALTY:

13. AMOUNT DUE: \$ 20,245.00

14. AMOUNT CREDITED:

15. NET AMOUNT DUE: \$ 20,245.00

NOTE:

PLEASE SEND ALL CORRESPONDENCE, INQUIRIES, AND CHANGE OF ADDRESS TO:

MINIDOKA RANGER DISTRICT
ROUTE 3 3650 S OVERLAND

BURLEY ID 83318

FAILURE TO MAKE PAYMENT BY THE DUE DATE WILL RESULT IN THE
ASSESSMENT OF LATE PAYMENT CHARGES (INTEREST, ADMINISTRATIVE COST,
AND/OR PENALTY CHARGES) IN ACCORDANCE WITH YOUR CONTRACT, PERMIT,
OR THE DEBT COLLECTION ACT OF 1982, AS AMENDED. POSTMARKS ARE NOT
HONORED.

16. ORG	17. JOB	18. AMOUNT	16. ORG	17. JOB	18. AMOUNT	16. ORG	17. JOB	18. AMOUNT
041430	FSG63004	\$ 20,245.00						

RECEIVED
DEC 15 2003
DIV. OF OIL, GAS & MINING



United States
Department of
Agriculture

Forest
Service

Sawtooth National Forest
Burley - Twin Falls Ranger
District

3650 South Overland Ave.
Burley, ID. 83318-3242
208-678-0430
Fax: 208-677-4878

File Code: 2810

Date: July 19, 2002

Mr. Michael Pauletto
22310 NE Hillside Drive
Vancouver, WA 98682

Interstate Rock Products, Inc.
Mr. Michael Cates
1705 W. 100 N.
Tremonton, UT 84337

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

NOTICE OF NONCOMPLIANCE

Dear Mr. Pauletto and Mr. Cates:

This letter is to document and give you written notice that your operations in the Clarks Basin Area of the Raft River Division, Sawtooth National Forest are in noncompliance of Federal Regulations found in 36 CFR 228, requirements for environmental protection. This letter is based on requirements set forth in the Notice of Noncompliance issued to you on September 23, 2000 and on inspections of the site, the most recent on July 15, 2002.

On July 11, 2000, A Notice of Intent was submitted to the Forest Service proposing exploration drilling. A reclamation bond of \$1,870 was set for this project and was approved on July 27, 2000. An amendment to the Notice of Intent was approved on August 13, 2000. The amendment proposed excavation of a small test pit and 600 feet new access road construction in addition to the exploration drilling. A revised bond in the amount of \$3,100 was set for the project. On September 14, 2000 an inspection was made of this project. The inspector found that a considerable amount of unauthorized disturbance had occurred including the construction of several thousand feet of new haul road and the clearing of approximately 3 acres for a quarry area. A Notice of Noncompliance was issued to you on September 23, 2000. On December 18, 2000 a plan of operations was submitted to this office covering the unauthorized disturbance. On December 20, 2000 this office received confirmation that a reclamation surety bond in the amount of \$20,245 had been posted for the unauthorized disturbance. On March 9, 2001 public scoping was initiated for the proposed plan of operations. On April 9, 2001 Interstate Rock Quarries entered into a Memorandum of Understanding (MOU) with the U.S. Forest Service detailing the preparation of a third party NEPA document for the proposed mining activities. Since the date of the MOU, there has been no further contact with you or your contractors regarding the preparation of the NEPA document or completion of reclamation of the site.

Inspections indicate that the site appears abandoned and that reclamation of the disturbance has not been completed.

Because your plan of operations is not approved nor has reclamation been completed for the unauthorized disturbance, you are in noncompliance with 36 CFR 228.5(a) Subpart A:



"Operations shall be conducted in accordance with an approved plan of operations, except as provided in paragraph (b) of this section and in 228.4 (a), (b), and (e)."

Within 30 days of receipt of this letter you must initiate reclamation of all disturbance created by your activities at Clarks Basin. Prior to the initiation of any reclamation activities you must submit to this office a detailed reclamation plan and a timetable for its execution. It is extremely important that any reclamation activities around the sensitive spring area be coordinated with this office beforehand.

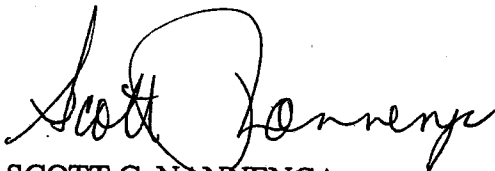
If reclamation does not begin within 30 days of receipt of this notice, we will utilize the reclamation bond to begin reclamation of the disturbance.

This decision is appealable in accordance with Secretary of Agriculture Appeal Regulation 36 CFR 251, Subpart C. A notice of appeal must be filed with the Forest Supervisor, Sawtooth National Forest, 2647 Kimberly Road East, Twin Falls, Idaho, 83301-7976 within 45 days of the date of this decision with a copy simultaneously sent to the District Ranger, Burley/Twin Falls District, Sawtooth National Forest, 3650 South Overland Ave., Burley, Idaho, 83318. The notice of appeal must also include the information described in 36 CFR 251.90(b). There are eight items listed that the appellant must address.

We are willing to meet with you to discuss any concerns or issues related to this decision. Our telephone number is (208) 678-0430.

If you have any questions or comments, please contact Steve Flock, Minerals Management Specialist, at the above address or telephone number.

Sincerely,



SCOTT C. NANNENGA
Burley/Twin Falls District Ranger

cc. Jeff Gabardi

Lynn Kunzler
Utah Dept. Oil Gas and Mining



United States
Department of
Agriculture

Forest
Service

Sawtooth National
Forest

Burley/Twin Falls Ranger
Districts
3650 S. Overland Ave.
Burley, Id. 83318-3242
208-678-0430
208-737-3200

File Code: 2810/2850

Date: September 23, 2000

Mr. Michael Pauletto
22310 NE Hillside Drive
Vancouver, WA 98682

Interstate Rock Products, Inc.
Mr. Michael Cates
1705 W. 100 N.
Tremonton, Utah 84337

Notice of Noncompliance - Certified Receipt Requested

Dear Messrs. Pauletto and Cates:

This letter is to document and give you written notice that your operations in the Clarks Basin Area of the Raft River Division, Sawtooth National Forest are in noncompliance of Federal Regulations found in 36 CFR 22.8, requirements for environmental protection. This letter is based on field inspections by myself and our Mining Engineer, Jeff Gabardi on Thursday, September 14 and discussions with you at our meeting on Wednesday, September 20, 2000.

During the September 14 field inspection, it was noted that the following activities had taken place:

Road Construction

- The access road to Clarks Basin that crossed Private Land had been bladed with a dozer to the Bown's Dove Creek Quarry. From that point, an existing 2-track road that traveled across section 14 to the northwest quarter of section 13 had been reconstructed or new road had been constructed in several locations.
- A new section of road had been constructed between Bown's Dove Creek Quarry and the riparian area. Soil from the new road had been side cast into the riparian area approximately 300 feet to a point where the road intersected the existing 2-track road.
- There had been an unsuccessful attempt to construct a road around a spring. A wet spot and culvert in the road cut indicated water would still saturate the roadbed.
- Approximately 3,500 feet of road had been constructed to eliminate a steep pitch by following the contour around the head of a drainage. Several roads had been cut across the hillside. The upper road ended at Bown's excavator, where a small pit approximately 20 x 20 feet had been dug. The lower road led to an area being stripped of topsoil and developed into a quarry. A road between the other two had been constructed but apparently was not suitable and had been recontoured with an excavator.
- Sections of the existing 2-track road had been ripped in several locations where the new road bypassed it.
- On the day of inspection, Mr. Cates was hauling waste rock from the quarry he was



developing (in section 13) to portions of the newly constructed road to use as surfacing material. Topsoil had been stockpiled along the road and the surface material was being backfilled in the low spots.

- Black plastic pipe, approximately 8-inch diameter, was used as culvert pipe at the spring area and also at drainage crossings, at approximately five locations.

Quarry Development

- At the end of the newly constructed road, an area of approximately 3 acres had been cleared with a dozer in an attempt to begin quarrying rock. There appeared to be no attempt to salvage topsoil (growing medium). Soil and waste rock had been dozed to the periphery to the quarry to expose the underlying rock. At least three attempts had been made to find the appropriate rock to be quarried.

Equipment / Storage

- In addition to the D6 Caterpillar dozer parked on the new road access, there was an excavator, front-end loader, dump truck, utility trailer, storage trailer, and fuel tank parked at the new quarry location.

Our September 14 inspection was prompted by the fact that we had received no reclamation bond. Since the activities were outside of any approved plan, Mr. Cates was requested to stop all mining activities until a review of the current plans could be made, to determine if any portion of this work had been previously approved. **Until a new Plan of operations is approved, by the Sawtooth National Forest, your operations will remain in noncompliance, and no removal of rock from the quarry will be authorized.**

On Wednesday, September 20, I met with you, your representatives and later that afternoon with Msrs. Bill and Preston Bown (Bowns) to sort out what had been approved, what wasn't approved, and what needed to be done to bring both you and the Bowns into compliance with our regulations. It was determined that your operations to date are outside any approved Forest Service authorization including our August 13, 2000 authorization sent to you, Mr. Cates, and Mr. Riordan and any authorization for the Bown's State of Utah Notice of Intent to Commence Large Mining Operation dated April 28, 1998. As discussed in our meeting, the following actions will be taken:

- I will draft an agreement requiring you to pay the expense of having Forest personnel (Biologists, Hydrologist, Archeologist, Engineers, etc.) evaluate the possible disturbance/damage to archeological sites, wetlands, riparian areas, and possible impacts to threatened and endangered plant and animal species that may have occurred during your road building and stripping at the unauthorized quarry. I will request Forest personnel be made available as soon as possible to visit the site. **Possible future citations may be based on their findings.**
- Jeff Gabardi will conduct a Mineral Classification of the rock to determine if it is a locatable commodity managed under the 36 CFR 228A - Locatable Regulations or a mineral material sold under the 36 CFR 228C Regulations.
- Jeff Gabardi will calculate a reclamation bond to address the existing disturbance. You

Interstate Rock – Clarks Basin Quarry September 20, 2000 Meeting

In attendance were the following:

Name	Representing	Phone No.
Pete Peterson	Burley District Ranger	208-678-0430
Carmela Romerio	Burley District Range Conservationist	208-678-0430
Jeff Gabardi	Mining Engineer – Sawtooth Forest	208-737-3205
Lynn Kunzler	State of Utah – Dept. of Oil Gas and Mining	801-538-5310
Mike Pauletto	I and P Investment	360-921-4172
Michael Cates	Interstate Rock Products, Inc.	435-279-6455
Dick Riordan	R.F. Riordan Consultants	801-943-3062

will be required to post a bond based on that estimate. The bond will be held until a new plan is approved or until final reclamation is completed.

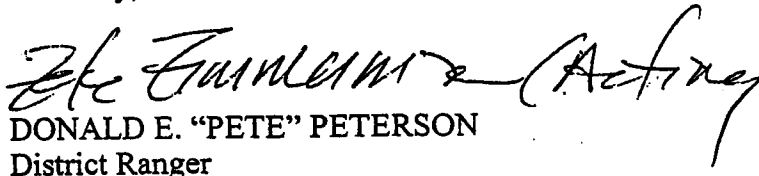
- You will prepare a new Plan of Operations and/or appropriate State of Utah Mine Plan detailing the work you propose to develop a quarry at this location and other proposed sites in the Clarks Basin area. Your plans need to include road access alternatives including those that may involve other quarry operators.
- The Forest will provide you a list of contractors that do environmental analyses and prepare NEPA documents on a third party basis.

It was noted during our meeting, that you accepted full responsibility for the road construction and will be responsible for any reclamation and/or mitigation required this fall to prevent further degradation to the environment. You will need to take the following actions immediately:

- Remove the plastic culverts and fill material from the drainages, and redefine the drainages.
- Place water-bars throughout the newly constructed road. A Forest representative will be made available to determine the best location and frequency for water-bars.
- Recontour a 100 ft. section of road at a location between the Bown's Dove creek Quarry and the spring to prevent vehicles from driving near the riparian area along the stream.
- Seed the entire road disturbance area including the road bed and cut and fill areas, topsoil stockpiles, and recontoured road sections. The recommended seed mix is 40% Bluebunch wheatgrass, 30% Slender wheatgrass, 20% Basin wildrye, and 10% Blue flax. This seed mixture is required to be certified noxious weed free.
- At this time, no recontouring will be required within the quarry site until the mine plan and road access issues have been resolved. The topsoil material within the quarry footprint will require seeding.
- Where the fence was cut near the quarry, remove the temporary opening and replace the wires.
- Remove all of your equipment and personal property from the Forest.

The seven items listed above will need to be completed by October 17 or the Forest will complete the work and further legal actions will be taken. If you have any questions please contact Carmela Romerio or me at the Burley Ranger District (208) 678-0430.

Sincerely,

For  (Acting)
DONALD E. "PETE" PETERSON
District Ranger

Cc: Mr. Lynn Kunzler, State of Utah, Dept. of Natural Resources, DOGM, 1594 West North Temple, Suite 1210, PO Box 145801, SLC, UT 84114-5801



United States
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Sawtooth National Forest
Minidoka Ranger District

3650 South Overland Ave.
Burley, ID. 83318-3242
208-678-0430
Fax: 208-677-4878

File Code: 2810

Date: October 20, 2003

Mr. Dennis Jorgenson
Heritage Stone
1111 North 200~~th~~ West #58
Ogden, UT 84404
Far West

Dear Mr. Jorgenson:

On September 19, 2003, an inspection was conducted of reclamation activities at the Interstate Stone Clark's Basin Project, T.13N., R.16W., Section 14. The reclamation was being done by Bonneville Quarries, Inc. equipment under the direction of Bill Bown.

The inspector found that the earthwork recontouring of the road through the spring area was completed and satisfactory. The equipment operator, Jerome, took great care not to disturb the spring and seep areas as well as riparian vegetation in these areas. All reclamation activities took place on previously disturbed areas within the cultural site boundary. Bill Bown said that seeding of the recontoured road would be conducted after cattle have left the area, sometime after October 1. A short section of road providing access to the spring will need to be reclaimed after the Bonneville Quarries, Inc. plan of operations has been approved (see enclosed map).

Because of our archeologist's concern with the cultural site at this location, she has indicated that she may need to do additional work prior to the installation of the fence that we have discussed. Once she is completed with any additional surveys, we will notify you that the fence can be installed. The livestock allotment permittee, Mr. Kunzler, has agreed to construct a livestock trough outside of the fence once the fencing is complete which should further protect the spring.

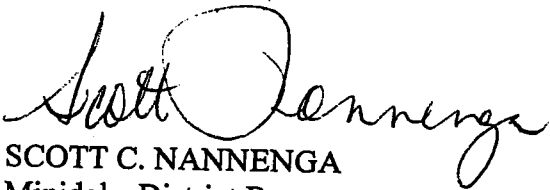
As discussed with you in our letter of June 17, 2003, the Interstate Quarry area (~4.0 acres) and a section of access road (~1600') to this quarry also need to be reclaimed this fall (see enclosed map). Reclamation must follow the guidelines in our June 17 letter. If reclamation of the quarry and access road is not completed by November 30, 2003, we will initiate action to take the reclamation bond and complete the reclamation utilizing Forest Service equipment and personnel.

We are concerned that we have not received an updated plan of operations showing that Heritage Stone is indeed taking over this project from Interstate Stone. This would include the transfer of the reclamation bond into Heritage Stone's name as well. Our letter of June 17 also included a list of questions that your plan of operations would need to address so that we can proceed with the permitting process. Because we have not received an updated plan of operations, we are unable to coordinate review with other Forest Service specialists that will need to review this plan. We would have preferred to have been able to complete some of this fieldwork this fall, instead of having to wait until later in the spring once the area becomes accessible.



If you have any questions or comments, please contact Steve Flock, Minerals Management Specialist, at the above address or telephone number.

Sincerely,



SCOTT C. NANNENGA
Minidoka District Ranger

Enclosures:

1. June 17, 2003 Letter
2. Interstate Stone Project Area Map

cc. Jeff Gabardi

Sawtooth Nat. Forest Supervisor's Office

Mr. Michael Pauletto
11204 NW 37th Court
Vancouver, WA 98685

Mr. Michael Cates
Production Manager
Interstate Rock Products
9921 NE 72nd Ave.
Vancouver, WA 98682

Bonneville Quarries, Inc.
Attn: Mr. Bill Bown
842 West 400 North
West Bountiful, UT 84087

Utah Division of Oil, Gas and Mining
Attn: Mr. Lynn Kunzler
1594 West North Temple
Suite 1210
P.O. Box 145801
Salt Lake City, UT 84114-5801



United States
Department of
Agriculture



Service

Sawtooth National Forest
Minidoka Ranger District

3650 South Overland Ave.
Burley, ID. 83318-3242
208-678-0430
Fax: 208-677-4878

File Code: 2810

Date: June 17, 2003

Mr. Dennis Jorgenson
Heritage Stone
1111 North 200 West
Ogden, UT 84404

Dear Mr. Jorgenson:

This letter is a follow-up to our meeting at Clark's Basin on May 8, 2003.

As we had discussed, we are concerned that it will take a considerable amount of time to complete the National Environmental Policy Act (NEPA) for this project. Since it has been over 2 ½ years since the disturbance was created in violation of 36 CFR 228.5(a) Subpart A and there has not been any progress in completing the plan of operations or 3rd party NEPA document for this project since the scoping letter went out for this project in spring 2001, we are requiring that the quarry be reclaimed in conjunction with the damaged spring area. As stated in our previous letter of April 14, 2003, reclamation must include the following mitigation:

1. Because of the damage to the archeological site at the spring area, a Forest Service or a Forest Service approved archeologist must be on site during reclamation to ensure that no further damage to the archeological site occurs.
2. The exposed spring needs to be armored with rock and recovered with soil from the existing area.
3. All restoration work should be accomplished with minimal disruption to the flow or disturbance to the substrate in the immediate vicinity of the spring since a lot of disturbance has already occurred just above the spring.
4. Care must be taken not to compact soils on and around the spring area during reclamation activities.
5. Steep sections of reclaimed road should be recontoured with waterbars if needed to prevent surface flow from following the road.
6. Because of the damage created within the spring area, this area will need to be fenced after recontouring to allow it to recover quickly. This fence will also need a gate to allow access to original riparian crossing, which will be utilized until the Bonneville Quarries plan of operations is approved. We currently have an estimate for \$1865.00 for completion of fencing, but we have not completed the necessary biological and archeological studies that would need to be done before the fencing could be installed. Once these studies are complete, you will be required to either install the fencing under direct Forest Service supervision or provide the necessary funding to allow the Forest Service to install the fencing on its own.
7. The original riparian crossing will need to be repaired and hardened to minimize



damage to the riparian zone to provide access until the road alteration proposed within the Bonneville Quarries plan of operations is approved.

8. The following certified weed-free seed must be used on reclaimed areas:
 - a. Festuca idahoensis - Idaho Fescue
 - b. Oryziopsis hymenoides - Indian Rice Grass
 - c. Agropyron trachycaulum - Slender Wheatgrass
 - d. Lupinus argenteus - Lupine
 - e. Penstemon humilis - Penstemon
9. The reclaimed quarry area must be regraded to original contour. Topsoil, if available, must be spread over the recontoured quarry. The recontoured quarry must then be ripped along contour to prevent erosion and encourage establishment of vegetation.

As we discussed with you in the field, we will need confirmation that Heritage Stone is assuming the plan of operations originally submitted by Interstate Rock in December 2000. This would also involve transferring the reclamation bond into Heritage Stone's name. If you are still interested in going ahead with this project, we are requesting that the proposed plan of operations be resubmitted and updated to address the following items:

1. We will need addresses for the new operator. Your plan should also have telephone numbers that can be reached during non-working hours for emergency situations.
2. We will need a list of all the claims under this plan of operation including the mailing address of each claimant.
3. Your plan will need to discuss the dimensions of material removed from the site since the issue of locatability is based upon certain criteria for Oakley Stone. Your plan will also need to detail on the percentage of waste rock versus the amount of stone removed from the quarries.
4. Your plan will need to discuss the possible number of employees that would be onsite during operations. Please be aware that it is Forest Service policy that "the area of operations will seldom be so remote, or other 'needs' so compelling, as to justify residential occupancy on the claim." Because of the proximity of both private land and small communities, residential occupancy (camping) would not be approved as part of your plan of operations.
5. Access routes to both proposed Quarry A and Quarry C cross fences. It is unclear what you propose to install at these crossing points such as cattleguards or gates. Your plan of operations also says that a locked gate would be installed to prevent access by the public to the quarry areas. The location of this gate was not shown on your map. Your plan will need to discuss in detail any limitation to public access especially on the existing jeep trail that runs through the middle of proposed Quarry A.
6. Your plan of operations refers to U.S. Highway 30, which should be Utah State Highway 30.
7. Your plan of operations will need to breakdown the proposed 41.5 acres of disturbance into acreage for each quarry and a breakdown into roads, pits, waste piles, work areas, etc.

8. Because of ongoing problems with thistle and other noxious weeds in this area, your plan of operations will need to discuss what methods will be used to control noxious weeds on the area of your operations.
9. Your plan of operations states that at peak production there would be up 40 round truck trips per day. Your plan of operations shows pullouts and culverts on the access to Quarries B and C, but it does not discuss road improvements that would be necessary to the existing road and jeep trail that would be the access to Quarry A. Your plan of operations will need to discuss the improvement of this access.
10. Although your plan of operations discusses fuel storage on site, there is no mention of what type of containment would be used to control possible fuel spills. We will need further information on spill containment for both the storage and for refueling areas.
11. Your plan of operations states that waste rock slopes during operations would be constructed in lifts at mostly less than 3:1 slope and that at the end of operations recontouring of the waste rock areas would not be necessary. It not clear if there would be benches in the waste rock material, and if so, would these be recontoured to an overall 3:1 slope. It is also unclear if the natural slope at Quarry B is greater than 3:1, which would make meeting a 3:1 slope impossible.
12. Your plan of operations states that 'there are no permanent water courses on site and that springs in the vicinity have been avoided.' Both Quarry A and its access road could directly impact permanent streams, springs, and seeps. A small seep is located within the proposed pit area for Quarry A. Several wet meadow areas would also be covered by overburden or topsoil stockpiles at the base of Quarry A. Your plan will need to address avoiding and/or minimizing impacts to these areas.
13. Your plan of operations states that 'only Quarry C would be visible from public right of way; otherwise the operation will not be visible from public roads.' This should be changed to say that both Quarry B and Quarry C would be visible from the main county road from Rosette to Lynn.
14. Your plan of operations needs to clarify what is considered overburden. Would overburden also consist of waste rock produced during processing of the rock? If so, we will need a description of the dimensions (ex. fines, boulder, etc.) of the material that would be put into the overburden piles. Your plan will need to discuss the existing slopes that the overburden would be put on, especially waste piles B.
15. We will need a more detailed description of your drainage control plan including the dimensions and storage capacity for all drainage control ponds.

As soon as we can coordinate with our archeologist a day to monitor reclamation of the spring site we will contact you. Steve Flock, Minerals Management Specialist, will also need to be on site during reclamation of the spring area. Based on the sensitivity of the spring site, we would prefer to utilize our Forest Service Excavator, which will be in the area toward the end of June, but we will work with you however you wish to proceed. If the Forest Service performs the reclamation, you would be billed for the expense. The proposed location for the fence around the spring area has been flagged by our wildlife biologist and I have enclosed her specifications for a cattle and sheep fence. We will also want to meet with you on the ground prior to installation of the fence.

If you have any questions or comments, you may contact Steve Flock, Minerals Management Specialist, at the above address or telephone number.

Sincerely,



SCOTT C. NANNENGA

Minidoka District Ranger

Enclosures:

1. Fencing Specification/Stipulations
2. Spring/Seep Map

cc. Bonneville Quarries, Inc.

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